

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with MARK W. SINCELL on 11/28/2011.

The application has been amended as follows:

1. (Currently amended) A method for partitioning code space in a communication system, comprising the step of:

dividing a code space into at least two subspaces, where codes in the first subspace are assigned to at least one user for a voice communication session until the voice communication session of said at least one user is complete and where all of the codes in the second subspace are assigned to each of a plurality of users for data communication on a time-shared basis so that each of the plurality of users can use all of the codes in the second subspace at ~~for~~ a same selected time interval.

8. (Currently amended) A method for partitioning code space in a communication system, comprising the steps of:

dividing a code space into at least two subspaces, where codes in the first subspace are assigned to at least one user for a voice communication session until the

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voice communication session of said at least one user is complete and where all of the codes in the second subspace are assigned to each of a plurality of users on a timeshare basis for data communication so that each of the plurality of users can use all of the codes in the second subspace at ~~for~~ a same selected time interval.

11. (Currently amended) The method of claim ~~nine~~ 9, wherein a minimum number of codes are provided to the second subspace.

Conclusion

Any response to this action should be mailed to:

The following address mail to be delivered by the United States Postal Service (USPS) only:

Mail Stop _____
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

or faxed to:

(571) 273-8300, (for formal communications intended for entry)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Bob A. Phunkulh** whose telephone number is **(571) 272-3083**. The examiner can normally be reached on Monday-Thursday from 8:00 A.M. to 5:00 P.M. (first week of the bi-week) and Monday-Friday (for second week of the bi-week).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor **Chirag G. Shah**, can be reach on **(571) 272-3144**. The fax phone number for this group is **(571) 273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/BOB A PHUNKULH/
Primary Examiner, Art Unit 2477